

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, January 5, 2005
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Janice Auger

Council Members:

Chairman Les Matsumura
Vice-Chairman Russ Wall
Council Member Bud Catlin-*Excused*
Council Member Morris Pratt
Council Member Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Mark McGrath, Community Development Dir.

BRIEFING SESSION

Chairman Les Matsumura conducted the Briefing Session, which convened at 6:00 p.m. The Council reviewed the Administrative Report, after which the agenda was discussed.

Council Member Russ Wall **MOVED** to adjourn the Briefing Session at 6:31 p.m. Council Member Morris Pratt **SECONDED** the motion. Chairman Les Matsumura called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All members of the City Council were in favor and the motion passed unanimously.**

REGULAR MEETING

Attendance:

Mayor Janice Auger

Council Members:

Chairman Les Matsumura
Vice-Chairman Russ Wall
Council Member Bud Catlin-*Excused*
Council Member Morris Pratt
Council Member Jerry Rechtenbach

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gerry Orr, City Finance Director
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Larry Marx, Chief of Police

Citizens: Heath Lowry, Wayne Dial, Scout Troop, John E. Gidney, Jerry Fenn, Gary Keddington, Phyl Warnock, Kevin Taylor, Eric Isom, Scout Troop 91, Scout Troop 241, Fire Chief Don Berry, Harlan Christmas, Blaine Smith, Lynn Marsh, Katie Larsen, Ken Carroll, Blake Schroeder, Les Seely, James Lancaster, Dave Burdett, Brady Gregory, Zack Gregory, Brandon McCall, AJ McCall, Hilarie Denos

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:33:51 Chairman Les Matsumura called the meeting to order at 6:33 p.m. and welcomed those in attendance. He then reviewed the Citizen Comment Procedures for the audience.

1.1 Pledge of Allegiance – Opening Ceremonies – *Youth Council Member Hilarie Denos*

18:34:08 Hilarie Denos directed the Pledge of Allegiance.

1.2 Reverence – *Youth Council Member Emma Barwick* (Opening Ceremonies for January 19, 2005 to be arranged by Council Member Pratt)

18:34:41 Council Member Jerry Rechtenbach offered the Reverence.

1.3 Citizen Comments

Chairman Les Matsumura called for any citizen comments.

18:35:36 Ted Jensen spoke in regards to a change in a form of government for the City of Taylorsville and asked the City Council to give his request consideration.

Chairman Matsumura recognized Scout Troop 91 and Troop 241.

1.4 Mayor's Report

18:39:00 Mayor Janice Auger said that her comments are contained throughout the Administrative Report and the remainder of the agenda.

2. REPORTS

2.1 Audit Report for Fiscal Year Ended June 30, 2004 – *Jensen & Keddington*

18:39:17 Phyl Warnock, Jensen & Keddington, P.C., presented the completed audit report to the Council for Fiscal Year ending June 30, 2004. He first explained the Comprehensive Annual Financial Report for Year Ended June 30, 2004 and then addressed questions from the City Council.

Mr. Warnock then reviewed the Supplementary Reports for the Fiscal Year Ended June 30, 2004.

In response to questions from the City Council regarding the audit, Mayor Auger responded and said that the audit was being presented to the City Council and if there are questions that follow receipt and review, the auditors can be contacted to address those questions. The purpose is to acknowledge the City Council's receipt of the audit.

2.2 Presentation from Qwest Regarding DSL in Taylorsville – *Jerry Fenn/Eric Isom*

19:00:17 Jerry Fenn and Eric Isom from Qwest Communications reported on the status of DSL within Taylorsville.

Mr. Fenn said that he previously made a commitment to the City to have 90% DSL availability within the City limits completed by June 2005. He said that the City is currently at 75% coverage.

Mr. Fenn addressed questions from the City Council and then 19:05:30 introduced Eric Isom, Government Affairs Director, and a Taylorsville resident.

Mr. Fenn said that he takes very seriously Qwest's relationship with Taylorsville and he wants to stay true to his commitment.

3. APPOINTMENTS

3.1 Steering Committee for Taylorsville/Bennion Heritage Center Master Plan – Bruce Wasden, Connie Taney, Jerry Milne, Toni Lenning, Jeffrey Asay, Kristie Overson, Dan Udall – *Mayor Auger*

19:16:10 Mayor Auger presented her nominees for a Steering Committee to work with the consultant on the Taylorsville/Bennion Heritage Center Master Plan, as follows: Bruce Wasden from the Historic Preservation Committee; Connie Taney from the Historic Preservation Committee; Jerry Milne from the LARP Committee; Toni Lenning from the Community Garden Committee; Master Gardener Jeffrey Asay; Kristie Overson from the Planning Commission; and Dan Udall from the Community Development Department..

The Mayor explained that the Committee will elect a Chair and that she will sit in on some of the meetings to provide input on CDBG eligibility, etc., but will not serve as a voting member.

19:18:01 Council Member Morris Pratt **MOVED** to appoint the Mayor's nominees as presented to serve on the Taylorsville/Bennion Heritage Center Master Plan Steering Committee. Council Member Russ Wall **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members voted in favor and the motion passed unanimously.**

3.2 Board of Adjustment – Lynn Marsh – *Mayor Auger*

19:18:26 Mayor Auger explained that Blaine Smith's appointment to the Planning Commission has created a vacancy on the Board of Adjustment. She nominated Lynn Marsh to fill that vacancy with a term that expires June 30, 2005

19:19:42 Council Member Russ Wall **MOVED** to appoint Lynn Marsh to serve on the Board of Adjustment. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members voted in favor and the motion passed unanimously.**

3.3 Selection/Steering Committee for Baseball Complex – John Buck, Dave Goddard, Cameron Reynolds – *John Inch Morgan*

19:19:57 City Administrator John Inch Morgan relayed that Mayor Auger has nominated additional people to serve on the Selection/Steering Committee for the Youth Baseball Complex, as follows: John Buck, a professional baseball player and Taylorsville High graduate; Dave Goddard, representing the LARP Committee; and Cameron Reynolds, representing Youth

Baseball. He noted that these individuals will be invited to join the original nominees at whatever stage of progress has been reached.

19:22:00 Council Member Jerry Rechtenbach **MOVED** to appoint the Mayor's additional nominees to the Selection/Steering Committee for the Youth Baseball Complex. Council Member Morris Pratt **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members present voted in favor and the motion passed unanimously.**

4. CONSENT AGENDA

4.1 Minutes – CCWS 12-8-04, SWS 12-14-04

19:22:22 Council Member Russ Wall **MOVED** to adopt the Consent Agenda. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members present voted in favor and the motion passed unanimously.**

19:22:52 Chairman Matsumura excused Council Member Bud Catlin who is out of town.

5. PLANNING MATTERS

5.1 Ordinance No. 04-32 – Amending Title 13 of the City Code to Regulate the Height, Placement and Construction of Fences within the City of Taylorsville – *Mark McGrath*

19:23:01 Community Development Director Mark McGrath presented the subject ordinance to the Council regarding a zoning text amendment, which establishes regulations for fence construction within the City of Taylorsville.

19:26:27 Discussion was held and questions were asked in regards to the proposed ordinance.

19:26:56 Council Member Russ Wall proposed modifications to the proposed ordinance in regards to duplication of section numbering within in the ordinance. He also proposed a modification that "if a height exception is granted, a building permit is required." Also, to include Council Member Rechtenbach recommended language under Section 13.40.160 – Intersecting streets and clear visibility - that states that the City adopts the current AASHTO Standards.

19:4:30 Council Member Russ Wall **MOVED** to adopt Ordinance No. 04-32 – with the modifications that have been addressed in this meeting and with the recommendation that Mark sit down with Mr. Rechtenbach and make a determination on that diagram and we will leave it up to them up to leave as staff and Mr. Rechtenbach as to whether to adopt that or leave it as it is. Council Member Morris Pratt **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members present voted in favor and the motion passed unanimously.**

5.2 Ordinance No. 04-33 – Amending Title 13 of the City Code to Establish New Regulations for Residential and Agricultural Accessory Structures – *Mark McGrath*

Community Development Director Mark McGrath presented the ordinance regarding proposed zoning amendments regulating accessory structures in residential and agricultural zones.

19:36:10 Discussion was held, after which, 19:43:18 Council Member Russ Wall **MOVED** to adopt Ordinance No. 04-33 with the following changes: Eliminate 13.45.030 B.; Under Section 13.45.050 B.1.c., B.2.c., Section 13.45.060 E.1.c. and E.2.c. - change 5 feet to 3 feet. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members present voted in favor and the motion passed unanimously.**

5.3 Ordinance No. 05-02 – Adopting Temporary Zoning Regulations Restricting Check Cashing Businesses in Taylorsville – *John Brems*

19:45:43 City Attorney John Brems presented an ordinance regarding proposed temporary zoning regulations that would restrict check cashing businesses within the City of Taylorsville. He explained that the proposed ordinance would allow a time period to allow a study to be completed in this regard.

19:46:14 Council Member Morris Pratt disclosed that he has an interest in this type of business and he felt that he could make a fair judgment.

19:48:26 Council Member Russ Wall **MOVED** to adopt Ordinance No. 05-02 – Inserting the dates of January 5, 2005 until the earlier of July 5, 2005. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows:

Pratt-no, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All members present voted and the motion carried 3-1.**

6. FINANCIAL MATTERS

6.1 Public Hearing – 6:30 p.m. – In Regards to Creating New Employee Allocations for the Human Resource Analyst/Payroll and Benefits Technician and All Police Department Ranks and Civilian Positions; and Establishing the Salary and Compensation Range Schedule – *Chief Marx/John Inch Morgan*

19:49:29 City Administrator John Inch Morgan said that the title of Human Resource Analyst/Payroll and Benefits Technician should be changed to Human Resource Specialist. Mr. Morgan and Police Chief Larry Marx then presented an ordinance for Council consideration that would create new employee allocations for the Human Resource Specialist and also for all Police Department ranks and civilian positions, including a Deputy Chief of Police Services (not currently funded in the amended budget); two Lieutenants (only one is currently allocated in the amended budget); five Sergeants; 47 Police Officers; a Records Clerk (civilian); two Forensic Technicians (civilian); and one Evidence Custodian (civilian – not funded in the amended budget). Mr. Morgan explained that the proposed Ordinance will also establish the salary and compensation range schedule for each of the said positions.

19:50:44 Discussion was held and questions of the City Council were addressed.

20:00:46 Chairman Matsumura opened the public hearing on this matter and called for citizen input. There was no public comment in favor or opposed to the proposed ordinance and Chairman Matsumura declared the public hearing closed.

6.1.1 Ordinance No. 05-01 – Creating New Employee Allocations for the Human Resource Analyst/Payroll and Benefits Technician and All Police Department Ranks and Civilian Positions; and Establishing the Salary and Compensation Range Schedule

20:01:38 Council Member Jerry Rechtenbach **MOVED** to adopt Ordinance No. 05-01 – Creating New Employee Allocations for the Human Resource Specialist and All Police Department Ranks and Civilian Positions. **Due to lack of a second, the motion failed.**

20:02:50 Council Member Russ Wall **MOVED** to approve Ordinance No. 05-01 with the following changes: Adding Human Resource Specialist to the Technical II category and removing Deputy Chief, aka Assistant Police Chief from the Managerial. Council Member

Morris Pratt **SECONDED** the motion. Chairman Matsumura called for discussion on the motion.

20:03:38 Council Member Jerry Rechtenbach said that he felt that the City Council should step back and let the Chief manage his department. 20:04:09 Council Member Russ Wall quoted the Administrative Code wherein it states: "The council shall exercise the legislative powers of city government, including the adoption of ordinances, resolutions and policies..." He said that when the Chief is ready to appoint a Deputy Chief he can then come before the Council for that allocation. Council Member Rechtenbach said that he feels that the Council is complicating the issue rather than allowing him to move ahead. Chairman Matsumura then called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-no, Catlin-excused. **All members present voted and the motion carried 3-1.**

6.2 Resolution No. 05-01 – To Participate in the Public Safety Non-Contributory Retirement System – *Chief Marx*

20:06:00 Police Chief Larry Marx presented the subject resolution, which would allow Taylorsville City to participate in the Utah Public Safety Non-Contributory Retirement System for City Police Officers. He requested Council's approval.

20:07:20 Council Member Russ Wall **MOVED** to adopt Resolution No. 05-01 – To Participate in the Public Safety Non-Contributory Retirement System. Council Member Morris Pratt **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members voted in favor and the motion passed unanimously.**

7. OTHER MATTERS

7.1 Resolution No. 05-02 – Amending Unified Fire Authority's Cooperative Agreement by Public Agencies to Create a New Entity to Consolidate Fire Protection, Emergency Medical, and Emergency Protection Services and to Provide Rules of Governance – *Chief Don Berry*

20:08:02 UFA Chief Don Berry presented a resolution containing amendments to the Unified Fire Authority's Cooperative Agreement by Public Agencies to Create a New Entity to Consolidate Fire Protection, Emergency Medical, and Emergency Protection Services and to Provide Rules of Governance. He described specific proposed amendments for the Council and said that this resolution does not have any effect on the ambulance license.

20:09:15 Council Member Morris Pratt **MOVED** to adopt Resolution No. 05-02 – Amending Unified Fire Authority’s Cooperative Agreement by Public Agencies to Create a New Entity to Consolidate Fire Protection, Emergency Medical, and Emergency Protection Services and to Provide Rules of Governance. Council Member Russ Wall **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members voted in favor and the motion passed unanimously.**

7.2 Resolution No. 05-03 – Approving an Interlocal Agreement Between the City of Taylorsville and the Third District Juvenile Court to Provide Meaningful Work Experience for Youth Offenders and to Accomplish Worthwhile Public Purposes in Conjunction with the Court’s Youth Offenders Restitution Program – *John Inch Morgan*

20:10:17 City Administrator John Inch Morgan presented an Interlocal Agreement Between Taylorsville City and the Third District Juvenile Court, which would provide meaningful work experience for youth offenders and to accomplish worthwhile public purposes in conjunction with the Court’s Youth Offenders Restitution Program. He called for questions from the Council.

20:13:49 Following brief questions of the Council, Council Member Morris Pratt **MOVED** to adopt Resolution No. 05-03 – Approving an Interlocal Agreement between the City of Taylorsville and the Third District Juvenile Court to Provide Meaningful Work Experience for Youth Offenders and the Accomplish Worthwhile Public Purposes in Conjunction with the Court’s Youth Offenders Restitution Program. Council Member Russ Wall **SECONDED** the motion. Chairman Matsumura called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City Council members voted in favor and the motion passed unanimously.**

7.3 Oath of Office – Police Chief Larry Marx – *Mayor Auger*

20:14:46 Mayor Auger recognized Taylorsville’s new Police Chief Larry Marx, who was then sworn into office by City Recorder Virginia Loader.

7.4 Council Election for 2005 Council Chairman and Council Vice-Chairman – *Council Chairman Matsumura*

20:16:51 City Recorder Virginia Loader announced the nominations for the 2005 City Council Chairman and Council Vice-Chairman. She then conducted the election and announced the election results, as follows: Chairman Russ Wall and Vice-Chairman Morris Pratt.

20:18:43 Council Chairman Les Matsumura expressed his appreciation to those he has served and served with. He then passed the gavel to the newly elected Chairman Russ Wall.

20:19:42 Council Chairman Russ Wall presented a plaque to outgoing Chairman Les Matsumura and thanked him for his dedication and service during 2004.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

20:20:18 Council Member Morris Pratt requested that a change in the Form of Government be discussed in the February Work Session.

20:21:06 Brief Discussion was held regarding an upcoming Legislative Breakfast that will be held Monday, January 10, 2005 at 7:00 a.m. at the Olympian Grill.

20:23:51 Mayor Auger said that Salt Lake County has formed a committee to identify priorities for acquisition of open space and they have asked cities to submit priorities to them. Following brief discussion, Mayor Auger asked the Council to submit their priorities to her.

20:27:04 Council Chairman Russ Wall said that each committee has a Council advisor. He requested that Council Members contact him if they would like a change in their assignment.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING) 20:27:52

- 9.1 City Council Work Session – Wednesday, January 12, 2005 – 6:00 p.m.**
- 9.2 City Council Briefing Session – Wednesday, January 19, 2005 – 6:00 p.m.**
- 9.3 City Council Meeting – Wednesday, January 19, 2005 – 6:30 p.m.**
- 9.4 City Council Briefing Session – Wednesday, February 2, 2005 – 6:00 p.m.**
- 9.5 City Council Meeting – Wednesday, February 2, 2005 – 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

- 10.1 Taylorsville Art & Snow Sculpture Show – 1:00-5:00 p.m. – Taylorsville City Offices – Saturday, January 22, 2005**

11. ADJOURNMENT

20:28:35 Council Member Les Matsumura **MOVED** to adjourn the City Council Meeting. Council Member Morris Pratt **SECONDED** the motion. Chairman Matsumura called for discussion. There being none, he called for a vote. The vote was as follows: The vote was as follows: Pratt-yes, Wall-yes, Matsumura-yes, Rechtenbach-yes, Catlin-excused. **All City**

Council members voted in favor and the motion passed unanimously. The meeting was adjourned at 8:28 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 1-19-05